

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Jim Bumgarner and Hilda Mordhorst,)	
)	
Plaintiffs,)	AMENDED SCHEDULING ORDER
)	
vs.)	
)	
Bowman Sales and Service, Inc., and)	
NOCO Company,)	Case No. 1:06-cv-029
)	
Defendants.)	

On September 17, 2007, Defendant Bowman Sales and Service, Inc. (“Bowman”) filed a motion requesting an extension of the pretrial deadlines and a continuance of trial. On September 19, 2007, the parties filed a stipulation in support of the motion. The court **ADOPTS** the parties’ stipulation (Docket No. 20) and **GRANTS** Defendant Bowman’s motion (Docket No. 15).

The pretrial deadlines set forth in the court’s scheduling order of September 5, 2006, they shall be modified as follows:

1. The parties shall have until February 1, 2008, to complete fact discovery and to file discovery motions.
2. The parties shall provide the names of expert witnesses and complete reports under Rule 26(a)(2) as follows:
 - a. Treating physicians need not prepare reports, only qualifications, unless they will express opinions not reflected in the medical records.
 - b. Reports to be served on other parties, but not filed with the court.
 - c. Plaintiff shall have until March 1, 2008, to identify the subject matter/discipline of expert witnesses to be used at trial, provide the names of expert witnesses, and their complete reports under Rule 26(a)(2).

- d. Defendants shall have until May 1, 2008, to identify the subject matter/discipline of expert witnesses to be used at trial, provide the names of expert witnesses, and their complete reports under Rule 26(a)(2).
3. The parties shall have until July 1, 2008, to complete discovery depositions of expert witnesses.
4. The parties shall have until January 2, 2008, to move to join additional parties.
5. The parties shall have until January 2, 2008, to move to amend pleadings to add claims or defenses, except for claims for punitive damages for which the deadline shall be February 1, 2008.
6. The parties shall have until January 2, 2008, to file other nondispositive motions (e.g., consolidation, bifurcation, excluding motions in limine)
7. The parties shall have until January 2, 2008, to file threshold motions (e.g. jurisdiction, qualified immunity, statute of limitations). Discovery shall not be stayed during the pendency of such motions.
8. The parties shall have until September 1, 2008, to file dispositive motions (summary judgment as to all or part of the case).
9. Depositions taken for presentation at trial shall be completed thirty (30) days before trial.
10. All other deadlines and terms of the court's scheduling order dated September 5, 2006, shall remain in effect.

IT IS SO ORDERED.

Dated this 9th day of October, 2007.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge